

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION SUPERIOR COURT

CAUSE NO. 49D11 08 11 PL 054 0 0 1

STATE OF INDIANA,)
)
Plaintiff,)

v.)

EQUIFAX INFORMATION)
SERVICES LLC,)

Defendant.)

FILED

(167) DEC 0 1 2008

Elizabeth A. White
CLERK OF THE MARION CIRCUIT COURT

CONSENT JUDGMENT

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Matt Light and Deputy Attorney General Lyman C. Taylor III, and the Defendant, Equifax Information Services LLC, hereby agree to entry of a Consent Judgment without trial or adjudication of any issue of fact or law herein.

The parties believe it is in their best interest to resolve the issues raised by the State of Indiana and avoid the expense and uncertainty of protracted litigation. This Consent Judgment does not constitute an admission by the Defendant of any wrongdoing, nor shall it be construed as abandonment by the Attorney General of his position that the Defendant violated Indiana's Security Freezes for Consumer Reports Act and Deceptive Consumer Sales Act. The parties consent to entry of a final judgment in this proceeding by the Court and accept this Consent Judgment as final on the issues resolved herein.

JURISDICTION, SCOPE OF JUDGMENT, AND ACKNOWLEDGMENTS

1. This Court has jurisdiction and venue over the subject matter of this action and the parties hereto.

2. The State of Indiana's Complaint for Injunction, Costs, and Civil Penalties, alleges causes of action pursuant to the Indiana Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1, *et seq.* and the Indiana Security Freezes for Consumer Reports Act, Ind. Code § 24-5-24-1 *et seq.*

3. The Defendant, Equifax Information Services LLC, is a Georgia limited liability company regularly engaged in the business of assembling or evaluating information concerning Indiana residents' creditworthiness and other related information for the purpose of furnishing consumer reports to other persons, with a principal place of business at 1550 Peachtree Street NW, Atlanta, Georgia, 30309.

4. The Defendant acknowledges it has been advised the Attorney General's role in this matter is to serve as counsel for the State of Indiana, and the Office of the Attorney General has not given the Defendant any legal advice regarding this matter.

5. This Consent Judgment does not constitute an admission by the Defendant of any of the allegations in the State of Indiana's Complaint for Injunction, Costs, and Civil Penalties.

RELIEF ORDERED

6. The Defendant is permanently enjoined from engaging in the following acts:

- a. knowingly or intentionally failing to place a security freeze on an Indiana resident's consumer report within five (5) business days of Defendant's receiving directly from the resident a security freeze request; and

- b. knowingly or intentionally failing to issue written confirmation that a security freeze has been placed and a unique PIN or password that is to be used to temporarily lift or remove the security freeze to an Indiana resident within ten (10) business days of Defendant's receiving directly from the resident a security freeze request.

7. In the event that the State receives or discovers allegations, evidence, or information indicating that the Defendant has violated this Consent Judgment, the Indiana Office of Attorney General's Consumer Protection Division shall notify the Defendant of the apparent violation and provide the Defendant with an opportunity to respond to the allegations, evidence, or information prior to seeking remedies and penalties.

8. Within ten days of this Consent Judgment being signed by the judge, the Defendant shall pay the amount of Sixty-Five Thousand Dollars (\$65,000.00) to the Indiana Office of Attorney General's Consumer Protection Fund for use by the Attorney General, at his sole discretion, for consumer restitution and other consumer protection-related purposes.

9. By execution of this Consent Judgment, the State releases the Defendant from all civil claims, causes of action, damages, fines, costs, and penalties under Indiana's consumer protection statutes, arising from any act, representation, or omission alleged in the State of Indiana's Complaint for Injunction, Costs, and Civil Penalties that occurred prior to the execution of this Consent Judgment.

CONTINUING JURISDICTION

10. For the purpose of enforcing the provisions of this Consent Judgment, any subsequent court obtaining jurisdiction over the Defendant based upon a complaint alleging a violation of any law that is the subject of this Consent Judgment may take judicial notice of this

Judgment. Continuing jurisdiction for enforcement of this Consent Judgment resides in the jurisdiction of the Marion Superior Court.

IN WITNESS WHEREOF, the parties have executed this Consent Judgment this 29th day of October, 2008.

STEVE CARTER
Indiana Attorney General
Attorney No. 4150-64

EQUIFAX INFORMATION
SERVICES LLC

By:

Matt Light
Matt Light

Deputy Attorney General
Attorney No. 25680-53

Lyman C. Taylor III
Lyman C. Taylor III
Deputy Attorney General
Attorney No. 25128-55

Julie S. Shirley
Printed

[Signature]
Signed

SVP
Title

ALL OF WHICH IS APPROVED, ORDERED, ADJUDGED AND DECREED
this _____ day of DEC 01 2008.

Distribution:

Matt Light
Lyman C. Taylor III
Office of Attorney General
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

Equifax Information Services LLC
Richard G. Goerss, Chief Privacy Officer and Regulatory Counsel
1550 Peachtree Street NW
Atlanta, GA 30309

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[Signature]
Judge, Marion Superior Court